

Social & Personal

The Prime Minister and Mrs. Sharetz yesterday gave a tea in honour of Mr. Sam Hamburg and family.

Mrs. Betty Shohat, wife of the Israel Minister to Washington, has returned on home leave with her son, Dov Shohat.

The 25 American social workers currently touring Israel were addressed by Mr. Aubrey Malach, Deputy Director-General of Malibu (Joh), and several department heads on various aspects of Malibu's work, at Z.O.A. House, Tel Aviv, on Sunday night.

Mrs. Sarah Gertrude Miller, the South African writer, visited the Hebrew University on Sunday.

At a reception held yesterday in the grounds of the Alce Seligberg Vocational High School in Jerusalem, Mrs. Myriam Granot, Chairman of the Hadasah Council in Israel, and Mrs. Esther B. Grunwald, Chairman of the Hadasah Clubs for Overseas Visitors, welcomed the 18 members of the "Summer Tour" led by Mrs. Arthur H. Ellis, a member of the National Board of Hadasah in the U.S. and had farewell to Rabbi and Mrs. M. Pekarovsky prior to their return to the U.S. Mrs. Pekarovsky has been the Chairman of the Board for Meir Shifrah Children's Village, which is the undertaking of Junior Hadasah in America.

Mr. Y. Schechter, Jerusalem architect, has been appointed the new Director of the Beasat Art School, in succession to Mr. Jacob Steinhardt, the painter.

Professor E. Wertheimer, Dean of the Faculty of Medicine at the Hebrew University, has been re-elected to this post for a further two years.

Training Farm Closing Down in Holland

By HENRIETTE BOAS

JERUSALEM (By Airmail). — The last Hadasah-Habonim farm training centre at a Graveland (near Hilversum) is to close down at the end of this month.

During the current year, it had only three pupils, a boy from England who for personal reasons preferred to train abroad, a boy from Holland who had already been in Israel but had returned temporarily for specialized training, and one Amsterdam girl who studies dressmaking in Amsterdam but travels to Graveland every evening to spend the night there.

For the year 1955/56, practically no new applications had been received.

The grounds of the Graveland farm were sold a year ago. The last year had had three pupils, may try to carry on a little longer.

10% of Students At H.U. Do Research

The total number of students at the Hebrew University during the 1954/55 academic year, now drawing to a close, was 2,283. Of these, 285 were research students.

The 2,283 were divided among the Faculties as follows: Humanities, 792; Sciences, 448; Law, 517; Medicine (including Dentistry and Pharmacy), 413.

Women students numbered 943, the majority (495) being in the Faculties of Humanities and Social Sciences. Last year there was a total of 3,109 students at the University, of whom 306 were research students.

ORT OFFICIAL HERE ON STUDY TOUR

TEL AVIV, Monday. — Dr. Haim Weintraub, National Director of Jewish Organizations and Public Relations of the American ORT Federation, has arrived in Israel for a one-month visit to study the problems of vocational training in this country in connection with the help which the American ORT Federation extends to Israel ORT for their work in this field.

Dr. Weintraub is accompanied by his wife, Hilda, who is well-known for her activities in the Pioneer Women's Organization in the U.S.

JLEM STUDENT WINS ARCHITECTURE PRIZE

Mr. Yehuda Rayna, son of Dr. B. Rayna, of Jerusalem, in his last year of studies in architecture at the University of Lausanne, has been awarded the highest prize in his field, the "Prix de Grand Diplôme d'Architecture de la Société Vaudoise des Ingénieurs et des Architectes" by the Jury of the School of Architecture.

ISRAELI PARTICIPATING IN HARVARD SEMINAR

MALDEN, Mass., Monday (UPI). — Mr. Arye Ziv of the "Haaretz" editorial staff is one of 43 persons from Europe, Asia and the Near East who last week started an eight-week international seminar along with American graduate students here. The group, headed by Mr. Ziv, includes members of Parliament from England, the Netherlands and India, editors from Pakistan and Indonesia, a French author and an Italian architect.

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LAW REPORT

The Jerusalem Post July 12, 1955

In the Supreme Court Sitting As High Court of Justice Before Justice Agranat

Nisim and Rabel Dayan, Petitioners, v. The Ramat Gan Municipality. Respondents (H.C. 56/54).

No Cinema Licence Without Adequate Parking Place

The High Court discharged an order nisi granted to the petitioners on April 6, 1954, calling on the Ramat Gan Municipality to show cause why they should not grant Mr. and Mrs. Dayan a licence to use their building as a cinema.

The petitioners bought a partly-completed building in Ramat Gan, which is in the Ramat Gan municipal area, in 1951. They repeatedly, but without success, applied to the Ramat Gan Municipality for a permit to alter the building into a cinema.

The Municipality refused to grant the licence on the ground that the building was not suitable for use as a cinema. The petitioners applied to the District Town Planning Commission for a licence on condition that certain other structural changes were introduced. The Commission did not deal with the petitioners' request that they should be allowed to use the building as a cinema, the granting of cinema licences being within the exclusive jurisdiction of the Municipal Council.

The building was completed in accordance with the Town Planning Commission's structural demands, in March 1954, upon which the petitioners applied to the Municipal Council for a licence to open a cinema. After three-week interval, when they had received no reply to their application, they asked the High Court for an order nisi, which was granted.

The first hearing took place on September 17, 1954, and between that and the second hearing, on December 12, 1954, the Municipality considered the application and rejected it.

Mr. V. Hazan and Mr. C. Nisim appeared for the petitioners, Mr. Yehiel for the respondents.

Decision

The reasoned decision of the High Court was delivered by Justice Agranat, the chief justice, having been summarily discharged on the day of the second hearing.

Justice Agranat dealt first with Mr. Yehiel's preliminary argument that the petitioners had been precipitate and that they should have waited until the Municipality had had sufficient opportunity to deal with their application, before having recourse to the High Court. He held that the rule that the High Court would not deal with an application unless the petitioner had first appealed to the competent authority, was not applicable in the present case, and his appeal had been turned down. At the same time, it was the duty of anyone who holds public office to deal with matters referred to him with the required speed and dispatch, and that any unnecessary delay would be regarded as tantamount to an unjustifiable refusal to apply to the High Court, even before the application had been rejected. In the present case, however, the Municipality could not be accused of undue neglect or delay, since only three weeks had passed between the application for a licence and the petition to the High Court, whereas the Municipality only met once a month, and had not met during those three weeks. In addition, the Municipality did not necessarily have to deal with the application at the very first meeting held after it was submitted. The argument of precipitation would, therefore, have been sufficient cause for discharging the order nisi, if it were not for the fact that between the two sessions of the Court, the Municipality at the suggestion of the Court had dealt with the petitioners' application, and had rejected it.

Justice Agranat then went on to enumerate the reasons for his rejection as they appeared from the minutes of the Council meeting, since the formal decision itself was a curt refusal without any reason attached. The reasons brought up in the course of the discussion were:

1. No parking space for vehicles; 2. Close proximity of the building to the local synagogue; 3. The hall was a security risk as it was on the second floor, and the entrances and exits were not suitable, nor were the passageways from the exits sufficiently wide.

Licensing Authority's Discretion

Having dealt with the arguments and counter-arguments proffered by both Councils with regard to the need for parking space, Justice Agranat held that section 4 (3) of the Public Entertainment Ordinance, 1933, gives the Municipality the right to refuse to issue a licence only if they are not satisfied that the premises are structurally in all respects suitable for the purpose for which they are used, having regard to the safety, health and convenience of the public and the maintenance of good order therein by the police.

But he pointed out that section 4 (4) gives the municipal licensing authority much wider latitude to use its discretion in imposing "such conditions, limitations or restrictions as such licensing authority may think fit to impose." He therefore could not find any flaw in the Municipality's demand which applied to all the cinemas in the area (with some minor relaxations) and was not arbitrarily aimed only at one cinema, viz. that the cinema-owners should provide on their own land and at their own expense, a parking lot for vehicles in the vicinity of the cinema.

Turning next to the question of proximity to the synagogue, which both Councils had agreed was an invalid reason for refusing the licence, Justice Agranat declared that if this had been the only reason given for rejecting the application for a licence or if it had been the only reason given for refusing the licence, it would have been a decisive factor in swaying the opinions of the Council.

Council's Suspicion

As for the Council's third reason, Justice Agranat said it was difficult to credit the Municipal Council with fair dealing and with behaving as a public body ought to behave towards those dependent upon its decisions. It was clear that from the beginning the Council had treated the petitioners with great suspicion and had shown discrimination towards allowing them to build a cinema. Furthermore, the Council's decision to refuse the licence was based on the fact that the petitioners had not provided a parking lot in the vicinity of the building. When the petitioners had fulfilled this requirement, the Council had refused to grant the licence, and it was to be hoped that in this case, as they had done in others, the Council would not insist on a hundred per cent fulfilment of their demands, but would be satisfied with a reasonable solution, then there would be no reason for refusing the licence. Order nisi discharged, no costs allowed.

Reasoned judgment given on June 28, 1955.

THE WEEKLY concert of the Kol Yisrael Orchestra will be broadcast at 8.30 this evening and next Tuesday evening, instead of at 9 o'clock.

ON THE AIR

FIRST PROGRAMME

7.00 News, 7.15 a.m. 1.30, 6.00

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G.Z. Mouthpiece Says Mapai Is 'Fascist'

The Jerusalem Post July 12, 1955

"Haaretz" notes that the General Zionists are as responsible as Mapai for the "regime of terror" for which they try to pin the blame on their co-partners. But "Haaretz" (General Zionists) is not yet at the end of its rope, and this time the main news of the day for it is "Dov Joseph Engender New Doctors to Break Strides" which gets seven front-page columns and an editorial that accuses Mapai of fascism and of deeds that the Tories did not dare perform during the recent rail strike even though they had the support of the population. The General Zionists, we further learn, have always supported the academic workers' demands. Elsewhere on the sheet front front pages are quieter, except for "Hamodia" (Agudat Yisrael) which refutes Mr. Shragai's charge that its party our institutions — but wants all the Jews here before Hitler. Perhaps as a result of Sunday's meeting, in which the elections headquarters should be collected by the State, but does not fail to point out the progress made by Labour municipalities. "La Merhav" (Agudat Ha'avoda) writes that it is criminal to use the Knesset case as an opportunity for attacking the Jewish rescue operations were carried out by institutions — but wants all the facts of the case clearly recorded. "Ha'aretz" (non-party) feels that while it does Mapai honour to want to build up the southern Negev, one must remember that the other parts of the country should be developed first. "Zman" (Progressive) is disappointed because only five immigrants have come from Rumania, while we had been led to expect that the Government would lift its restriction. "Hand washes hand" says "Al Hamishmar" (Mapai) of the two coalition partners in the last government. It is only now that the partnership between Mapai and General Zionists is dissolved that the public can get to hear what has been happening all along. And if the General Zionists have not revealed all they know about the special spying apparatus which they claim Mapai is maintaining in the cinema, they should be forced to discontinue its attacks against them.

FOR ATTACKING the director of the Jerusalem Labour Exchange, Mr. Peretz.

The Progressive Minister of Justice obeyed Mapai orders to appeal against the Knesset judgment before his own advisers could even study it is just one more typical illustration of the difference between satellites and partners.

Again the little parties — the Progressives and the Religious Bloc — surrendered to Mapai and elevated it to the status of sole ruler of Israel.

No one seriously believes that one or two mandates more or less for the small parties can in any way change the regime. The small parties do not have the power to bring about such changes, and correctly assessing their own strength do not even try. Consciously or not, willy-nilly, they help Mapai to realize her aim of "Socialism in our time."

For all our many splinter-parties, symptom of our innate tendency towards schisms and secession, no one can deny the one basic truth: The choice lies between:

X — and the way of "Socialism in our time," through subjection of the individual and economic dictatorship

Y — and the free, productive society for which it stands.

ONLY STRENGTH CAN HALT FORCE

The Organization of General Zionists

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